

REMARKS**I. Introduction and Formal Matters**

Claims 1-35 were presented for examination. Claims 1-17 have been allowed. Claims 18-35 were rejected, with claims 20-22, 24, and 25-30 considered allowable subject to addressing rejections under Section 112. By this Amendment, applications have amended claim 25. Reconsideration and allowance are respectfully requested.

The examiner rejected claim 25 as being indefinite on the basis of a lack of antecedent basis. The claim has been amended as suggested.

II. Rejections of Claims 18-24

The examiner maintained the rejection of claims 18, 19, and 23 as being unpatentable over Cataldo in view either LaWhite or Levinson. The examiner stated that "claim 18 is being treated as unamended," because the examiner considered there to be "new matter in claim 18." The examiner states his rejection as follows:

The original disclosure does not appear to support what is presently recited in claim 18, lines 2-3, i.e., that a squeeze contraction to a bracelet causes that bracelet to contract around and squeeze the wearer of that bracelet (note that there is only a 'bracelet' recited in claim 18). Rather, the original disclosure appears to teach that a squeeze contraction to a bracelet causes other bracelets to contract around and squeeze the wearers of other bracelets.

Official Communication, April 22, 2005, page 2 (emphasis in original).

The examiner apparently believes that the disclosure does not support the idea that when the wearer squeezes a bracelet, it causes the bracelet to contract around the wearer of the user.

Applicants disagree and can point to a number of instances where this is indicated, if not stated in explicitly those words. The summary, for example, indicates that the operation of the devices can be "mated," indicating that the change on one bracelet is reflected by the change on

the other. Conversely, the change that is provided to the receiving bracelet is the same as the one that was provided to the sending bracelet. This is described, for example, as follows:

The state that is monitored, communicated, and replicated may be mechanical. In one embodiment, a bracelet system includes a mated pair (or some greater number) of bracelets, preferably designed to look more like jewelry than like communications devices. If the holder of a bracelet makes a physical change by squeezing the bracelet mechanically, the contraction is detected by an embedded switch and is transmitted to the other bracelets in the group. Those wearing the other mated bracelets will feel a squeeze from their respective bracelets. The result of the bracelets adapting to the same state is a subtle, intimate, and on-intrusive means of communication that can be both on-textual and inaudible.

(Page 2, lines 3-10; emphasis added)

In the detailed disclosure, it also states that the change in one device is the same as the change in the other:

The system of the present invention can utilize a system in which the change in the state of one device affects the changes on the other devices, but not vice versa. Preferably, however, the devices are mated such that the two are substantially identical.

(Page 6, lines 12-14)

In short, in at least some embodiments the contraction on the recipient bracelet is mated to, and thus identical to, the contraction on the sending bracelet. Consequently, the application as originally presented discloses that the wearer can squeeze a bracelet that causes a contraction on the wearer, and also sends a signal to recipients indicating that contraction.

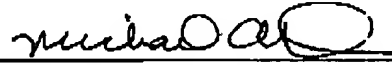
Claim 18 has been amended to make clear that the squeeze provides a contraction to the bracelet to cause the bracelet to contract around and squeeze the wearer of the bracelet, as opposed to the type of squeezing shown in Cataldo. The cited references do not teach or suggest such a contraction around the wearer.

The application should now be in condition for allowance, and accordingly a notice of allowance is respectfully requested. If this amendment does not put the application in condition for allowance, applicant requests that the examiner contact his attorney at the telephone number listed below.

Please charge any fee that may be due in connection with this matter, including any extensions of time that may be due, to our deposit account number 08-0219.

Sincerely,

Date: July 1, 2005


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